



LUMEN INTELLECTUAL PROPERTY SERVICES, INC.
2345 Yale Street, Suite 200
Palo Alto, CA 94306
Phone: (650) 424-0100
Fax: (650) 424-0141
admin@lumen.com
www.lumen.com

FAX COVER SHEET

Total Pages (including cover): 7

#6

Date: 10/17/03

From: Robert Lodenkamper

To: Derek Woods

FAX RECEIVED

OCT 17 2003

Your Fax: 703-305-0014 308-6916

PETITIONS OFFICE

Re: 09/614945

Memo: Please find attached a letter regarding the status of this application.

CONFIDENTIAL INFORMATION

The information in this facsimile transmission is privileged.
Please notify us immediately if you received this communication in error.

Robert Lodenkamper
Lumen IP Services
2345 Yale Street, 2nd floor
phone: (650) 424-0100
fax: (650) 424-0141

Derek Woods
US PTO Office of Petitions
phone: (703) 308-6916
fax: (703) 305-0014

Re:

Application number: 09/614,945
Filing date: 7/12/2000
Applicant: Witold Kula
Title: Improved Spin Valve Magnetic
Properties with Oxygen-Rich NiO
Underlayer
Examiner: Heinz, Allen J.
Art Unit: 2652

FAX RECEIVED
OCT 17 2003
PETITIONS OFFICE

Dear Derek Woods:

On 10/16/2003, Sarah Treat at Lumen inquired as to the status of the above cited application, and was informed that the application stands abandoned. In the course of this inquiry, it became clear that a petition to withdraw holding of abandonment that was filed in application 09/614,945 on 12/16/2002 was apparently never received by the Office of Petitions.

On 10/17/2003, Ron Jacobs at Lumen had a phone conversation with you, which came to the conclusion that faxing the relevant material to you would be an effective way to proceed.

Accordingly, I am including with this fax the following information:

- 1) a copy of the return postcard showing OIPE receipt of the petition in this application on 12/23/2002
- 2) a copy of the petition as filed on 12/16/2002
- 3) a copy of the description of Lumen's docketing procedure as filed with the petition on 12/16/2002.
- 4) a copy of the Lumen docket sheet for this case as of 1/6/2003, showing no receipt of the office action mailed on 3/18/2002.

Please consider the petition to withdraw holding of abandonment as timely filed in response to the notice of abandonment dated 11/18/2002, based on the above showing of a timely filed petition.

respectfully,



Robert Lodenkamper

Title: "Improved Spin Valve magnetic Properties
With Oxy. 7-Rich NiO Underlayer"

Appl No.: 09/014, 945

Filing Date: 7/12/00

ocket No.: S109- 2000- 0043US1



Received Today:

1. Transmittal Form
2. Petition to withdraw Holding of
Abandonment.
3. Ocket Sheet
4. Lumen's Ocketing Procedure

FAX RECEIVED

OCT 17 2003

PETITIONS OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number: 09/614,945
Filing Date: 7/12/2000
Applicant: Witold Kula
Application Title: Improved Spin Valve Magnetic Properties with Oxygen-Rich NiO Underlayer
Examiner: Heinz, Allen J.
Art Unit: 2652

FAX RECEIVED

OCT 17 2003

PETITIONS OFFICE

PETITION TO WITHDRAW HOLDING OF ABANDONMENT BASED ON
FAILURE TO RECEIVE OFFICE ACTION (MPEP 711.03)

Commissioner of Patents and Trademarks
Washington, DC 20231

Sir:

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL ON THE DATE INDICATED BELOW AND IS ADDRESSED TO: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, DC 20231.
DATE OF DEPOSIT 12/16/02
SIGNED [Signature] DATE 12/16/02
NAME OF PERSON MAKING DEPOSIT

In the above application, the applicant requests that the examiner withdraw the holding of abandonment, according to MPEP 711.03, on the basis that we did not receive the Office Action mailed on March 18, 2002. We have searched through our records thoroughly and our files indicate that the Office Action was never received. Also, we frequently pick up mail from our previous address on a monthly basis and the Office Action was never received at that location either. A copy of our docket sheet and our docketing procedure are enclosed herewith.

Respectfully submitted,

Dated:

Dr. Ron Jacobs
Reg. No. 50,142
45 Cabot Avenue, Suite 110
Santa Clara, CA 95051
(408) 260-7300

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number: 09/614,945

Filing Date: 7/12/2000

Applicants: Witold Kula

Application Title: Improved Spin Valve Magnetic Properties with Oxygen-Rich NiO Underlayer

Examiner: Heinz, Allen J.

Art Unit: 2652

LUMEN'S DOCKETING PROCEDURE

Commissioner of Patents and Trademarks
Washington, DC 20231

Sir:

Our docketing procedure is as follows:

- When we receive an Office Action from the Patent Office, we stamp "Received" on the document and write Lumen along with the date that it was received.
- A project is setup in our database and the box next to the item that was received is clicked.
- The Office Action is then put into our docket for the agent to work on.

FAX RECEIVED**OCT 17 2003****PETITIONS OFFICE**

| | | | |
|--|--------------------------|--|--|
| Lumen Docket No. SJO-106/US | Patent Number | US Govt Agency | Print Date: 1/6/2003 |
| Client Case Ref. No. SJO9-2000-0043-US1 | Issue Date | US Govt Contract | US Case Status Pending - Waiting for Next Office Action |
| Application No. 09/614945 | Filing Date 7/12/2000 | Assignee(s)/Licensee(s) IBM - Cottle Road | |
| Publication No. | Pub. Date | Assignment Reel Frame: 010944/0927 | Recorded on: 7/12/2000 |

TITLE OF THE INVENTION

Improved Spin Valve Magnetic Properties with Oxygen-Rich NiO Underlayer

INVENTORS:

Kula, Witold (Vitek)

PROSECUTION HISTORY:

| Received | Sent | Project | Status | Completed | Bar Date |
|---|---|---------|-----------|------------|------------|
| <input checked="" type="checkbox"/> Receipt Postcard | <input checked="" type="checkbox"/> Specification | > IDS | Completed | 10/5/2000 | 10/12/2000 |
| <input checked="" type="checkbox"/> Filing Receipt | <input checked="" type="checkbox"/> Drawings | > PETIT | Completed | 12/16/2002 | |
| <input checked="" type="checkbox"/> Notice of Recordation | <input checked="" type="checkbox"/> Claims | > APPL | Completed | 7/12/2000 | |
| <input type="checkbox"/> Notice of Missing Parts | <input checked="" type="checkbox"/> Filing Fees | | | | |
| <input checked="" type="checkbox"/> Restriction Requirement | <input checked="" type="checkbox"/> Declaration | | | | |
| <input checked="" type="checkbox"/> IDS 1 | <input checked="" type="checkbox"/> Assignment | | | | |
| <input type="checkbox"/> IDS 2 | <input checked="" type="checkbox"/> Record. Fee | | | | |
| <input type="checkbox"/> IDS 3 | <input checked="" type="checkbox"/> Power of Att. | | | | |
| <input type="checkbox"/> Office Action 1 | <input type="checkbox"/> SED | | | | |
| <input type="checkbox"/> Office Action 2 | <input checked="" type="checkbox"/> IDS 1 | | | | |
| <input type="checkbox"/> Office Action 3 | <input type="checkbox"/> IDS 2 | | | | |
| <input type="checkbox"/> Office Action 4 | <input type="checkbox"/> IDS 3 | | | | |
| <input type="checkbox"/> Notice of Allowance | <input type="checkbox"/> Missing Parts | | | | |
| <input type="checkbox"/> Issue Notification | <input type="checkbox"/> Election | | | | |
| <input type="checkbox"/> Patent Grant | <input type="checkbox"/> Prelim. Amend. | | | | |
| <input checked="" type="checkbox"/> Notice of Abandonment | <input type="checkbox"/> Response 1 | | | | |
| | <input type="checkbox"/> Response 2 | | | | |
| | <input type="checkbox"/> Response 3 | | | | |
| | <input type="checkbox"/> Response 4 | | | | |
| | <input type="checkbox"/> Response 5 | | | | |
| | <input type="checkbox"/> Response 6 | | | | |
| | <input type="checkbox"/> Formal Drawings | | | | |
| | <input checked="" type="checkbox"/> Withdraw Aband. | | | | |
| | <input type="checkbox"/> Term. Disclaimer | | | | |
| | <input type="checkbox"/> Issue Fee | | | | |
| | <input type="checkbox"/> Suppl. Amend. | | | | |
| | <input type="checkbox"/> Petition Revive | | | | |

IDS REMINDERS

| Notice | Due |
|---|--|
| <input checked="" type="checkbox"/> 9/12/2000 | <input checked="" type="checkbox"/> 10/12/2000 |

FOREIGN FILING REMINDERS

| Notice | Final Notice | Deadline |
|---|---|---|
| <input checked="" type="checkbox"/> 3/12/2001 | <input checked="" type="checkbox"/> 6/12/2001 | <input checked="" type="checkbox"/> 7/12/2001 |

Special Handling:

- IBM requires their docket number on all paperwork, i.e. (your ref:)
- Do not send Foreign Filing reminders to IBM

| Claims Status: | Originally Filed | Currently Pending | Allowed | Claim Remarks |
|---------------------|------------------|-------------------|---------|---------------|
| Independent Claims: | 3 | | | |
| Dependent Claims: | 30 | | | |
| Total Claims: | 33 | | | |